Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-47, 49-62, 64-99 and 101-114 are pending in the application, with 1, 49, 50, 51, 52, 64, 101, 102, 103, and 104 being the independent claims. Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-5, 8-9, 13-17, 19, 26-28, 30, 35-39, 40-47, 49-54, 58-60, 64-69, 71, 78-80, 82, 87-91, 92-99, 101-106, and 110-112 stand rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent 6,529,985 to Deianov et al. (hereinafter "Deianov") in view of U.S. Patent 6,944,761 to Wood et al. (hereinafter "Wood"). Applicant respectfully traverses.

Applicant respectfully submits neither Deianov nor Wood, taken alone or in combination, teach or suggest the rejected claims. At the very least, claim 1 recites, in part, "evaluating the service request based on at least one dynamically alterable condition dependent rule." In rejecting claim 1, the Examiner concedes that Deianov does not teach or suggest this feature, but claims that Wood teaches a dynamically alterable condition dependent rule.

Applicant found no indication or suggestion in Wood that the rules evaluating a service request are dynamically alterable. In fact, Wood teaches a static set of mapping rules, where suitable credential types or authentication mechanisms, not the mapping rules, may vary based on environment information. (See Wood, col. 7, lines 3-6). For example, Wood describes a system in which environment information, such as the time of request or the connection speed, can influence the type of credentials that are allowed to access resources. At most then, the arguments or parameters to the rules that control the association between

authentication and trust levels can vary; however, the rules themselves remain constant in Wood.

Wood further discloses that mapping rules may be dynamically varied; however this is misleading. (See col. 7, lines 13-18). In fact, in that context, Wood describes rules that can be changed only if the trust level mappings are updated. This is analogous to updating the virus definitions of a virus scan utility, wherein the rules are static, but not permanently stored. The rules are thus not dynamically alterable, as recited in the rejected claims.

Finally, Wood discloses that "in general, such mapping rules may be encoded as static or dynamic table associating trust level to authentication." (See col. 21, lines 62-64). In a static table, as defined by Wood, the trust levels and authentication would have a one-to-one mapping. As such, no matter the conditions, a given authentication will always result in a given trust level, meaning the rules are constant. In a dynamic table, as defined by Wood, there is no one-to-one mapping between authentication and trust level because variables may influence the mapping, as defined by the mapping rules. The mapping rules are then still constant, with the final association determined by the arguments received. In support of this argument, Applicant refers to col. 11, lines 45-46 of Wood, which provides that "the mapping rules are a function of environment information." In other words, the mapping rules take environment information arguments in order to determine the association, but do not change themselves.

Claim 1 further recites, in part, " evaluating the service request based on...at least one of a present software system state and a past software system state." In rejecting claim 1, the Examiner also alleges that Deianov teaches this feature. In particular, the Examiner refers to col. 8, lines 29-31 of Deianov as allegedly teaching "evaluating the service request based...on a present software system state." However, the foregoing paragraphs of Deianov teach an interception module checking an execution flag to determine if the system call wrapper is

currently executing. Deianov describes this process in order to explain how the system avoids infinite recursion when the system call wrapper calls the same system call that the system call wrapper was meant to replace. (See Deianov, col. 8, lines 29-46). Accordingly, in the case described by Deianov, the original system call that was made by the process has already been evaluated, and the system call currently being evaluated based on a present software system state was called by the system call wrapper, not by the software component, as recited in the rejected independent claims.

The Examiner further refers to col. 8, lines 16-19 of Deianov as allegedly teaching "evaluating the service request based on...a past software system state." However, the above recited paragraphs of Deianov only describe a table lookup, wherein the interception module examines an association table to determine if the executing process is associated with a system call wrapper. Accordingly, Deianov does not teach or suggest an evaluation based on a past software system state because the association table contains a current mapping of processes to system call wrappers.

For at least these reasons, Applicant respectfully submits that claim 1 is patentable over Deianov in view of Wood. Applicant therefore respectfully requests that the rejection of claim 1 be withdrawn.

Claims 2-5, 8-9, 13-17, 19, 26-28, 30, 35-39, and 40-47 depend from claim 1 and are patentable over Deianov and Wood for at least the same reasons discussed above with respect to claim 1, and further in view of their respective features.

Claims 49-52, 64, and 101-104 also recite similar features as discussed above with respect to claim 1, including "evaluating the service request based on at least one dynamically alterable condition dependent rule...and at least one of a present software system state and a

past software system state," which is not taught by Deianov in view of Wood, taken alone or in combination. Therefore, claims 49-52, 64, and 101-104 are patentable over Deianov in view of Wood for at least the same reasons discussed with respect to claim 1, and further in view of their own respective features.

Claims 53-54 and 58-60 depend from claim 52 and are patentable over Deianov and Wood for at least the same reasons discussed with respect to claim 52, and further in view of their own respective features.

Claims 65-69, 71, 78-80, 82, 87-91, and 92-99 depend from claim 64 and are patentable over Deianov and Wood for at least the same reasons discussed with respect to claim 64, and further in view of their own respective features.

Claims 105-106 and 110-112 depend from claim 104 and are patentable over Deianov and Wood for at least the same reasons discussed with respect to claim 104, and further in view of their own respective features.

Claims 6-7 and 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and further in view of Admitted Prior Art (hereinafter "APA"). Applicant respectfully traverses each of the rejections made with respect alleged APA.

Claims 6-7 and 10-12 depend from claim 1. Even assuming for the sake of argument only that the different admitted prior art (APA) set out in the Office Action on pages 12-13 constitutes prior art and may be combined with Deianov and Wood, this additional APA still does not overcome all of the deficiencies of Deianov and Wood relative to claim 1, described above. For at least these reasons, and further in view of their own respective features, claims 6-7 and 10-12 are patentable over Deianov, Wood, and APA, taken alone or in combination.

Claims 20-23, 31-32, 55, 72-75, 83-84, and 107 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood, and further in view of U.S. Patent 6,587,888 to Chieu et al. (hereinafter "Chieu"). Applicant respectfully traverses.

Claim 20 recites, in part, "allowing code that executes in response to interception of the service request to access alternative data, different from requested data." Contrary to the assertion in the Office Action, Chieu does not teach or suggest this limitation. Chieu appears to describe a method in which different code is being called, as control is passed to an access denied function. (See Chieu, col. 5, lines 41-43). Nowhere does Chieu teach or suggest that the code requests access to alternative data as recited in claim 20. Chieu only mentions a flag that is returned by the code. For at least these reasons, Applicant respectfully submits that claim 20 is patentable over Deianov, Wood, and Chieu. Applicant therefore respectfully requests that the rejection of claim 20 be withdrawn.

Claim 21 depends from claim 20, and is patentable over Deianov, Wood, and Chieu for at least the reasons discussed with respect to claim 20, and further in view of its own respective features.

Claims 31, 55, 72, 83, and 107 also recite, in part, "allowing code that executes in response to interception of the service request to access alternative data, different from requested data," which is not taught by Deianov, Wood, or Chieu, taken alone or in combination. Therefore, claims 31, 55, 72, 83, and 107 are patentable over Deianov, Wood, and Chieu for at least the same reasons discussed with respect to claim 20 above, and further in view of their own respective features.

Claims 32, 73, and 84 depend from claims 31, 72, and 83, respectively, and are patentable over Deianov, Wood, and Chieu for at least the same reasons discussed with respect to claims 31, 72, and 83, and further in view of their own respective features.

Claims 22-23 depend from claim 1, and claims 74-75 depend from claim 64. Chieu does not overcome all of the deficiencies of Deianov and Wood relative to claims 1 and 64, described above. For at least these reasons, and further in view of their own respective features, claims 22-23 and 74-75 are patentable over the combination of Deianov, Wood, and Chieu.

Claims 18, 29, 61, 70, 81, and 113 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and Chieu, and further in view of U.S. Patent 5,764,985 to Smale (hereinafter "Smale"). Applicant respectfully traverses. Claims 18 and 29 depend from claim 1, claim 61 depends from claim 52, claims 70 and 81 depend from claim 64, and claim 113 depends from claim 104. At the very least, Chieu and Smale do not overcome all of the deficiencies of Deianov and Wood relative to claims 1, 52, 64, and 104, described above. For at least these reasons, and further in view of their own respective features, claims 18, 29, 61, 70, 81, and 113 are patentable over the combination of Deianov, Wood, Chieu and Smale.

Claims 24-25, 56-57, 76-77, and 108-109 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and further in view of U.S. Patent 5,537,548 to Fin et al. (hereinafter "Fin"). Applicant respectfully traverses. Claims 24-25 depend from claim 1, claims 56-57 depend from claim 52, claims 76-77 depend from claim 64, and claims 108-109 depend from claim 104. At the very least, Fin does not overcome all of the deficiencies of Deianov and Wood relative to claims 1, 52, 64, and 104, described above. For at least these reasons, and further in view of their own respective features, claims 24-25, 56-57, 76-77, and 108-109 are patentable over the combination of Deianov, Wood, and Fin.

Claims 33-34, 62, 85-86, and 114 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Deianov in view of Wood and further in view of Smale. Applicant respectfully traverses. Claims 33-34 depend from claim 1, claim 62 depends from claim 52, claims 85-86 depend from claim 64, and claim 114 depends from claim 104. Applicant submits Smale does not overcome all of the deficiencies of Deianov and Wood relative to claims 1, 52, 64, and 104, described above. For at least these reasons, and further in view of their own respective features, claims 33-34, 62, 85-86, and 114 are patentable over the combination of Deianov, Wood, and Smale.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite

prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration is respectfully requested.

Respectfully submitted,

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